

CHAPTER 31. PUBLIC UTILITY ADVISORY BOARD.

31.01. Title.

The full title of this section shall be "The Public Utility Advisory Board" for Brigham City Corporation, and may be cited by the short title of "Utility Advisory Board."

31.01.010. Location of Businesses - Restrictions.

For the purpose of this section, the following words shall have the meaning as given herein:

- A. "City" shall mean and have reference to Brigham City, a municipal corporation of the State of Utah;
- B. "Board" shall be the Utility Advisory Board to Brigham City;
- C. "Board Member" means a person or persons qualified and acting as a voting member of the Board, appointed by the mayor, with the advice and consent of the City Council;
- D. "Council" shall mean the Brigham City Council, which is the legislative body of Brigham City, Utah;
- E. "Mayor" shall mean the mayor of Brigham City, Utah;
- F. "Administrator" shall mean the Mayor and staff personnel of the mayor.

31.01.020. Utility Advisory Board Members.

A. There is hereby created a Public Utility Advisory Board, within and for the City, to be known as the Brigham City Public Utility Advisory Board. The Board shall consist of seven (7) voting members, one of which shall be a member of the City Council and six (6) to be appointed by the mayor with the advice and consent of the City Council.

B. Members shall be selected without respect to political affiliation, be a resident of Brigham City, and no person shall serve on the Board while actively engaged or employed in any commercial activity which sells goods or services directly to the public utilities of the City. Members shall serve without compensation, except for reasonable expenses as determined by the mayor with the advice and consent of the City Council.

C. Members shall be subject to and bound by the provisions of the municipal officers and employees disclosure act, Section 10-31-1301, et seq. Utah Code annotated, 1953, as amended, or its successor. Any violation of the provisions of such act, or as the act shall be from time to time amended, shall be grounds for removal from office.

31.01.030. Terms of Office, Vacancies, Removal.

A. The term of office of the City Council member designated as a member of the board shall be determined by the mayor with the advice and consent of the Council. The terms of office of the originally appointed members shall be two and four year terms; three shall be appointed for four (4) years and three shall be appointed for two (2) years. Thereafter, the terms of office of each appointed member shall be four (4) years. Vacancies occurring otherwise than through the expiration of terms shall be filled by appointment by the mayor with the advice and consent of the Council.

B. Members may be removed without cause upon recommendation of the mayor and a majority vote of the Council for such removal.

31.01.040. Chairperson, Vice Chairperson, Rules, Records of Proceedings.

A. The mayor, with the advice and consent of the Council shall appoint a chairperson, who shall preside over the meetings of the board, and a vice chairperson, who shall set for the chairperson during his/her absence.

B. The board shall adopt rules for the conduct of its meetings. No action shall be taken by the board except by the affirmative vote of at least four (4) members. Four (4) members of the board shall constitute a quorum. It shall also keep a public record of its proceedings.

31.01.050. Meetings.

The Utility Advisory Board shall meet from time to time as necessary to accomplish the purposes for which the Board is created. The board shall keep its meetings open to the public. Special meetings may be ordered by a majority of the board, the chairman of the board, or City Council.

31.01.060. Powers and Duties of Board.

A. The Utility Advisory Board may recommend to the mayor and City Council from time to time as said Board deems advisable, its recommendations concerning the needs and requirements of the City's

utilities and their facilities.

B. The board may:

1. Review the annual reports of capital improvement budgets of all utilities; and or the operations, budget, expenditures and financial condition of all utilities;
2. Review annually the rates charged for all utilities;
3. Review and make recommendations regarding local, state and federal legislation relating to all utilities;
4. Review City's billing and collections policies and procedures;
5. Review conservation and emergency policies and procedures for all utilities;
6. Consult with the City Council concerning utility resource acquisition and development for all utilities, including review of capital improvement programs for all utilities;
7. Recommend other policies and procedures and present to the City Council or its representative issues as the board may deem appropriate;
8. Respond to requests for assistance, information, and recommendations as submitted by the City Council or its representative;
9. Respond to other duties and responsibilities as the City Council or its representative may expressly delegate to said board from time to time.

31.01.070. Staff Support.

A. The board shall be given necessary staff support by the City staff personnel. The board shall be assisted in its administrative function by the City staff personnel assigned by the City Council.

B. The availability and participation in the actions of the board by members of the City staff shall be made in accordance with adopted City policy. The following staff personnel shall, when directed to do so by the City Council or its representatives, assist the board by providing support and technical assistance.

1. Public Power Director
2. Public Works Director
3. Water Superintendent
4. Waste Treatment Superintendent
5. Waste Collection Superintendent
6. Finance Director
7. City Attorney
8. City Administrator
9. Public Works Secretary
10. Other personnel as necessary and approved by the City Council